IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 4TH OCTOBER, 2006/12TH ASWINA, 1928

Bail Appl..No. 5659 of 2006

CMP.10479/2006 of J.M.F.C.,KARUNAGAPPALLY
CRIME NO.126/2006 OF EXCISE RANGE, KARUNAGAPPALLY

.....

PETITIONER/ACCUSED:

KARTHIKEYAN, S/O. RAGHAVAN,
KARTHIKALAYAM VEEDU, ADINADU THEKKU MURI,
ADINADU VILLAGE, KARUNAGAPPALLY,
KOLLAM DISTRICT.

BY ADV. SRI.ANCHAL C.VIJAYAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, THROUGH THE
EXCISE INSPECTOR, KARUNAGAPPALLY REPRESENTED
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 4/10/2006 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5659/2006

DATED THIS THE 4TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 2.8.2006 with 1200 liters of wash, by the Inspector of Excise Range, Karunagappally, who registered C.R.No.126/2006 of that Excise Range, under Section 55(g) of the Abkari Act. He remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. The learned Public Prosecutor submitted that the petitioner is also accused in two other cases, for the violation of the provisions of the Abkari Act. Therefore, bail was not granted at the first instance.

3. However, now the petitioner had completed sixty days. Therefore, under Section 167(2) Cr.P.C., I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond

for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Karunagappally.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Monday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 9.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs